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## NOTICE OF ALLOWANCE AND FEE(S) DUE

25227 7590 11/17/2008

MORRISON & FOERSTER LLP  
1650 TYSONS BOULEVARD  
SUITE 400  
MCLEAN, VA 22102

EXAMINER

LIN, WEN TAI

ART UNIT

PAPER NUMBER

2454

DATE MAILED: 11/17/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,905	12/17/2003	Akira Suzuki	116692005000	4021

TITLE OF INVENTION: DIGITAL CONTENTS DISTRIBUTING SYSTEM AND DISTRIBUTING METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/17/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** Mail **Mail Stop ISSUE FEE**  
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**or Fax** **(571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

25227 7590 11/17/2008  
**MORRISON & FOERSTER LLP**  
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## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/736,905 12/17/2003

Akira Suzuki

116692005000

4021

**TITLE OF INVENTION: DIGITAL CONTENTS DISTRIBUTING SYSTEM AND DISTRIBUTING METHOD**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/17/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
LIN, WEN TAI	2454	709-217000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2  
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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25227	7590	11/17/2008	EXAMINER	
MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 400 MCLEAN, VA 22102			LIN, WEN TAI	
			ART UNIT	PAPER NUMBER
			2454	
DATE MAILED: 11/17/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 962 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 962 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

# Notice of Allowability

## Application No.

10/736,905

## Examiner

Wen-Tai Lin

## Applicant(s)

SUZUKI, AKIRA

## Art Unit

2454

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/26/08.
2. ☒ The allowed claim(s) is/are 2-4, 7, 9-14, 16-21, 23-24 and 30-32, renumbered as 1-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

### THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

1. An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Authorization for the examiner's amendment was given in a telephone interview with Mr. Alex Chartove, reg. No. 31942, and Mr. Michael Strauss, reg. No. 32443, on November 7, 2008.

2. In the drawing pages:

Applicant is requested to delete the extra figure labels that are not consistent with the labels shown in the "Brief Description of the Drawing" section. Specifically, drawing pages 3, 12, 17 and 20-21 each includes extra figure labels such as FIG.3, FIG.12, FIG.17, FIG.20 and FIG.21; they should be deleted because there are other consistent labels in these pages.

3. In the claims: please cancel claims 1 and 15, add new claim 32, and amend the other claims to the following:

1. (Cancelled)

2. (Currently Amended) A contents distribution support system comprising a contents server,

a plurality of terminals connected to the contents server via a network to allow contents to be distributed to the terminal from the contents server and further allow the contents to be distributed to another terminal from the terminal that received the distribution, and

an amount setting section that fixes an amount to be subtracted or added,

wherein the contents server comprises a storing section that stores information on the terminal that received the distribution of the contents and information on a distribution state to be associated with each other, a receiving section that receives a terminal that receives a request for distributing the contents in advance at the time of executing a synchronous distribution of the contents, a counting section that counts a plurality of patterns in connection with the synchronously distributed contents included in the received distribution request, a deciding section that decides a scale of the distribution including at least primary or secondary and other distribution ranges and distribution frequencies of the contents according to the result of the counting section, and a section that selects a terminal stored in said storing section based on information concerning the distribution state from said contents server, and enables the selected terminal to distribute the contents to another terminal,

wherein a storage media having at least one of a read-only storage area and a rewritable storage area is used, a program for gaining access to the contents server via the network to the read-only storage area, a storing section of a prepaid amount is provided in the rewritable storage area and an arbitrary amount is subtracted or added from/to the prepaid amount according to the distribution or reception of the contents, and the subtracted or added amount is stored in the storing section of the prepaid amount, and

wherein the contents server includes a communication monitoring section that monitors a communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section, and the amount setting section fixes the amount to be added by dividing the amount according to a contents size before the communication is interrupted and a contents size after the communication is interrupted.

3. (Rejoined and Original) The contents distribution support system according to claim 2, wherein the storing section grasps identification information on the terminal that received the distribution of the contents and information on a communication state of the terminal to store these information, and distribution to another terminal is executed in such a manner that a terminal similar to the communication state is selected.

4. (Rejoined and Original) The contents distribution support system according to claim 2, wherein the contents server includes a communication monitoring section that monitors the communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section.

5. (Canceled)

6. (Canceled)

7. (Previously Presented) The contents distribution support system according to claim 2, wherein the amount fixed by the amount setting section is set according to a frequency of the distribution or reception of the contents or a distribution time period of the contents.

8. (Canceled)

9. (Previously Presented) The contents distribution support system according to claim 2, wherein the read-only storage area stores a program for allowing the distributed contents to be reproduced.

10. (Original) The contents distribution support system according to claim 2, wherein the contents server includes a section that obtains information indicating the distribution state executed by each terminal.

11. (Previously Presented) The contents distribution support system according to claim 10, further comprising an accounting storing section that subtracts or adds an arbitrary amount from/to a prepaid amount according to the distribution or reception of the contents, and stores the subtracted or added amount.

12. (Original) The contents distribution support system according to claim 11, further comprising an amount setting section that arbitrarily fixes the amount to be subtracted or added, and the amount fixed by the amount setting section is set according to the distribution state obtained by an obtaining section.

13. (Previously Presented) The contents distribution support system according to claim 2, wherein the contents server includes a storing section that stores information on the terminal that received the distribution of the contents from the contents server, a first selecting section that selects a primary terminal based on information stored in the storing section and a first reference at the time of executing a synchronous distribution of the contents, and a second selecting section that selects secondary and other terminals sequentially based on information stored in the contents server in connection with the selected primary terminal.

14. (Previously Presented) The contents distribution support system according to claim 13, wherein the terminal includes a display section, and a screen that receives a desire for a rank of the contents distribution of the primary terminal and/or secondary and other terminals and accounting information to be subtracted or added are displayed on the display section.

15. (Canceled).

16. (Previously Presented) The contents distribution support system according to claim [[15]]2, wherein the contents distributed from one terminal that received an initial synchronous distribution of the contents can be transmitted to further another terminal according to the passage of a fixed time, and the number of primary terminals selected based on the stored information and a first reference is decided according to [[the]] an edit pattern.



17. (Previously Presented) The contents distribution support system according to claim 16, wherein the secondary and other terminals are sequentially selected according to the edit pattern in connection with the selected primary terminal.

18. (Previously Presented) The contents distribution support system according to claim 17, wherein selection of the terminal is executed from the terminals that applied for the distribution of the contents in advance based on the information stored in the contents server, and at the time of application in advance, at least a desire for a rank of the contents distribution of the primary terminal and/or secondary and other terminals is received, and the condition of the distribution is made different according to the rank of the contents distribution of the primary terminal and secondary and other terminals.

19. (Previously Presented) The contents distribution support system according to claim 18, wherein the terminal includes a display section and the display section includes a section that receives a desire for a rank of the contents distribution of the primary terminal and/or secondary and other terminals.

20. (Original) The contents distribution support system according to claim 18, wherein the terminal uses a storage media having a read-only storage area and a rewritable storage area and subtracts or adds amount information corresponding to amount information stored in a storage area of a prepaid amount that is formed in the rewritable storage area according to the distribution or reception of the contents, and stores the subtracted or added amount information to the storage area of the prepaid amount according to an application program for gaining access to the contents server stored in the read-only storage area via the network.

21. (Currently Amended) The contents distribution support system according to claim 20, wherein the terminal includes a display section, and a screen that receives a desire for a rank of the contents distribution of the primary terminal and/or secondary and [afterward] other

terminals and [the] accounting information to be subtracted or added are displayed on the display section.

22. (Canceled).

23. (Rejoined and Currently Amended) A [[The]] terminal apparatus according to claim 22, that is a computer apparatus that downloads predetermined contents from an apparatus of a connection destination for use in a contents distribution support system, said contents distribution support system including:

a contents server;

a plurality of terminals connected to the contents server via a network to allow contents to be distributed to the terminal from the contents server and further allow the contents to be distributed to another terminal from the terminal that received the distribution; and

an amount setting section that fixes an amount to be subtracted or added, and said terminal apparatus comprising:

a connecting section that connects to a predetermined connection destination via communication;

a transmitting section that transmits user information on the computer user and information that specifies the contents stored in the terminal; and

a display section that displays an object contents list received according to the transmission based on set display information,

wherein apparatus information transmitted by the transmitting section is measuring information on performance of the apparatus that transmits and receives or reproduces the contents or the transmission and reception state,

wherein the contents server comprises a storing section that stores information on the terminal that received the distribution of the contents and information on a distribution state to be associated with each other, a receiving section that receives a terminal that receives a request for distributing the contents in advance at the time of executing a synchronous distribution of the contents, a counting section that counts a plurality of patterns in connection with the synchronously distributed contents included in the received distribution request, and a deciding

section that decides a scale of the distribution including at least primary or secondary and other distribution ranges and distribution frequencies of the contents according to the result of the counting section, and a section that selects a terminal stored in said storing section based on information concerning the distribution state from said contents server, and enables the selected terminal to distribute the contents to another terminal,

wherein a storage media having at least one of a read-only storage area and a rewritable storage area is used, a program for gaining access to the contents server via the network to the read-only storage area, a storing section of a prepaid amount is provided in the rewritable storage area and an arbitrary amount is subtracted or added from/to the prepaid amount according to the distribution or reception of the contents, and the subtracted or added amount is stored in the storing section of the prepaid amount, and

wherein the contents server includes a communication monitoring section that monitors a communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section, and the amount setting section fixes the amount to be added by dividing the amount according to a contents size before the communication is interrupted and a contents size after the communication is interrupted, and

wherein the contents server includes a storing section that stores information on the terminal that received the distribution of the contents.

24. (Rejoined and Currently Amended) Δ [[The]] terminal apparatus according to claim 22; that is a computer apparatus that downloads predetermined contents from an apparatus of a connection destination for use in a contents distribution support system, said contents distribution support system including:

a contents server;

a plurality of terminals connected to the contents server via a network to allow contents to be distributed to the terminal from the contents server and further allow the contents to be distributed to another terminal from the terminal that received the distribution; and

an amount setting section that fixes an amount to be subtracted or added, and

said terminal apparatus comprising:

a connecting section that connects to a predetermined connection destination via communication;

a transmitting section that transmits user information on the computer user and information that specifies the contents stored in the terminal; and

a display section that displays an object contents list received according to the transmission based on set display information.

wherein user information transmitted by the transmitting section further includes user idea information or limitation information on the download of the contents,

wherein the contents server comprises a storing section that stores information on the terminal that received the distribution of the contents and information on a distribution state to be associated with each other, a receiving section that receives a terminal that receives a request for distributing the contents in advance at the time of executing a synchronous distribution of the contents, a counting section that counts a plurality of patterns in connection with the synchronously distributed contents included in the received distribution request, and a deciding section that decides a scale of the distribution including at least primary or secondary and other distribution ranges and distribution frequencies of the contents according to the result of the counting section, and a section that selects a terminal stored in said storing section based on information concerning the distribution state from said contents server, and enables the selected terminal to distribute the contents to another terminal,

wherein a storage media having at least one of a read-only storage area and a rewritable storage area is used, a program for gaining access to the contents server via the network to the read-only storage area, a storing section of a prepaid amount is provided in the rewritable storage area and an arbitrary amount is subtracted or added from/to the prepaid amount according to the distribution or reception of the contents, and the subtracted or added amount is stored in the storing section of the prepaid amount, and

wherein the contents server includes a communication monitoring section that monitors a communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section, and the

amount setting section fixes the amount to be added by dividing the amount according to a contents size before the communication is interrupted and a contents size after the communication is interrupted.

25-29. (Canceled)

30. (Rejoined and Currently Amended) A contents distribution support method that executes a method of synchronous distribution from a contents server via a network to further allow the contents to be distributed to another terminal from one terminal that received an initial synchronous distribution of the contents according to the passage of a fixed time period, the method comprising the steps of:

storing information on the terminal that received the initial synchronous distribution of the contents and information on a distribution state to be associated with each other;

selecting a primary terminal based on the stored information and an arbitrary reference at the time of executing the synchronous distribution of the contents; and

selecting secondary and afterward terminals based on information stored in [[the]] a storing section in connection with the selected primary terminal,

wherein the contents distribution support system further comprises a plurality of terminals connected to the contents server via the network to allow contents to be distributed and an amount setting section that fixes an amount to be subtracted or added.

wherein the content server comprises a storing section that stores information on the one terminal that received the distribution of the contents and information on the distribution state to be associated with each other, a receiving section that receives a terminal that receives a request for distributing the contents in advance at the time of executing a synchronous distribution of the contents, a counting section that counts a plurality of patterns in connection with the synchronously distributed contents included in the received distribution request, and a deciding section that decides a scale of the distribution including at least primary or secondary and other distribution ranges and distribution frequencies of the contents according to the result of the counting section, and a section that selects a terminal stored in said storing section based on

information concerning the distribution state from said contents server, and enables the selected terminal to distribute the contents to another terminal,

wherein a storage media having at least one of a read-only storage area and a rewritable storage area is used, a program for gaining access to the contents server via the network to the read-only storage area, a storing section of a prepaid amount is provided in the rewritable storage area and an arbitrary amount is subtracted or added from/to the prepaid amount according to the distribution or reception of the contents, and the subtracted or added amount is stored in the storing section of the prepaid amount, and

wherein the contents server further includes a communication monitoring section that monitors a communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section, and the amount setting section fixes the amount to be added by dividing the amount according to a contents size before the communication is interrupted and a contents size after the communication is interrupted.

31. (Rejoined and Currently Amended) A computer-readable storage medium for storing a contents distribution support program that executes a method of synchronous distribution from a contents server via a network to further allow the contents to be distributed to another terminal from one terminal that received an initial synchronous distribution of the contents according to the passage of a fixed time period, the method comprising the steps of:

storing information on the terminal that received the initial synchronous distribution of the contents and information on a distribution state to be associated with each other;

selecting a primary terminal based on the stored information and an arbitrary reference at the time of executing the synchronous distribution of the contents; and

selecting secondary and afterward terminals based on information stored in [[the]] a storing section in connection with the selected primary terminal,

wherein the contents distribution support system further comprises a plurality of terminals connected to the contents server via the network to allow contents to be distributed and an amount setting section that fixes an amount to be subtracted or added,

wherein the content server comprises a storing section that stores information on the one terminal that received the distribution of the contents and information on the distribution state to be associated with each other, a receiving section that receives a terminal that receives a request for distributing the contents in advance at the time of executing a synchronous distribution of the contents, a counting section that counts a plurality of patterns in connection with the synchronously distributed contents included in the received distribution request, and a deciding section that decides a scale of the distribution including at least primary or secondary and other distribution ranges and distribution frequencies of the contents according to the result of the counting section, and a section that selects a terminal stored in said storing section based on information concerning the distribution state from said contents server, and enables the selected terminal to distribute the contents to another terminal,

wherein a storage media having at least one of a read-only storage area and a rewritable storage area is used, a program for gaining access to the contents server via the network to the read-only storage area, a storing section of a prepaid amount is provided in the rewritable storage area and an arbitrary amount is subtracted or added from/to the prepaid amount according to the distribution or reception of the contents, and the subtracted or added amount is stored in the storing section of the prepaid amount, and

wherein the contents server further includes a communication monitoring section that monitors a communication state between the selected one terminal and another terminal, and when interruption of the communication is judged by the communication monitoring section, selection is executed again based on information on the terminal stored in the storing section, and the amount setting section fixes the amount to be added by dividing the amount according to a contents size before the communication is interrupted and a contents size after the communication is interrupted.

32. (New) The contents distribution support system according to claim 2, wherein any one of the terminals with information stored in the storing section is selected to distribute the stored contents to another terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571)273-8300 for official communications; and

(571)273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 10, 2008

/Wen-Tai Lin/

Primary Examiner, Art Unit 2454